

NO. 72266

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 25 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 12 2003 under 70489

The applicant **Douglas County** hereby makes application for permission to change the **The Point of Diversion of a portion** of water heretofore appropriated under **Permit 60638**

1. The source of water is **Underground – East Topsy Lane Well**
2. The amount of water to be changed **0.0015 c.f.s. not to exceed 1.12 acre feet annually**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Municipal**
5. The water is to be diverted at the following point **Within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T. 14 N., R. 20 E., MDM or at a point from which the NW corner of said Section 5 bears North 61°21'34" West, a distance of 2,952.96 feet (Douglas County East Topsy Lane Well)**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T. 13 N., R. 20 E., MDM or at a point from which the SW corner of Section 31, T. 13 N., R. 20 E., MDM bears South 10°43'34" West a distance of 9,081.61 feet. (Minden Well No. 4)**
7. Proposed place of use **No change**
8. Existing place of use **See attached**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing well, pump, motor and distribution system**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: See Remarks

By s/ **Bruce R. Scott, Resource Concepts, Inc.**
Bruce R Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared mt/sam lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 60638 is issued subject to the terms and conditions imposed in said Permit 60638 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 70489, 71260, 71473, 72266 and 72819 shall not exceed 195.60 acre-feet annually.

The issuance of Permit 72266 reduces the total combined duty of The Town of Minden's Permits 60635, 60636, 60637, 60638, 60639, 60640, 69553, 72106, 72193, 72194, 72195, 72267 and 72372 by 0.365 million gallons annually to 3994.3413 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

This permit is issued with the understanding that one new residential parcel, for a single-family dwelling, is being created by the dedication of this water right. This permit is limited to the service of one parcel, created from Assessor's Parcel Number 1420-06-401-016. This water cannot be utilized for any new development.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

Any pumping of water under this Permit is subject to the monitoring plan submitted September 8, 2004 and approved under Permit 70489.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0015 cubic feet per second, but not to exceed 1.12 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 16, 2007

Proof of completion of work shall be filed on or before:

August 16, 2007

Water must be placed to beneficial use on or before:

July 16, 2011

Proof of the application of water to beneficial use shall be filed on or before:

August 16, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 15th day of June, A.D. 2006



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

Attachment to Change Application 72266 under Permit 60638

Questions 7 & 8. Proposed and Existing Place of Use:

Section 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36,
Township 14 North, Range 19 East, M.D.M.,

Sections 1, 2, 3, E $\frac{1}{2}$ Section 4, NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 9, Sections 10,
11, 12, 13, 14, 15, and E $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16, E $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21,
Sections 22, 23, 24, 25, 26, 27, E $\frac{1}{2}$ Section 28, E $\frac{1}{2}$ Section 33, Sections 34, 35, and 36,
Township 13 North, Range 19 East, M.D.M.,

Sections 1, 2, 3, NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 4, Sections 10, 11, 12, 13,
14, 15, the NE $\frac{1}{4}$ and portions of the NW $\frac{1}{4}$, SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 22, Sections 23,
24, and 25, the NE $\frac{1}{4}$ and portions of NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 26, the NE $\frac{1}{4}$ and
portions of NW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 36, Township 12 North, Range 19 East, M.D.M.,

Sections 1 through 36, Township 12 North, Range 20 East, M.D.M.,

Sections 1 through 36, Township 13 North, Range 20 East, M.D.M.,

W $\frac{1}{2}$ Section 5, Sections 6, 7, 8, and Sections 13 through 36, Township 14 North, Range
20 East M.D.M.,

Sections 18, 19, 30, and 31, Township 14 North, Range 21 East, M.D.M.,

Sections 6, 7, 18, 19, 30, and 31, Township 13 North, Range 21 East, M.D.M.,

Sections 6, 7, 18, 19, and 30, Township 12 North, Range 21 East, M.D.M.,

All in Douglas County, Nevada.

Question 15: Remarks

Please use maps on file at the Division of Water Resources under Application 49954 to
support the existing Point of Diversion, and under Application 70489 to support the
proposed Point of Diversion.

Please use map on file at the Division of Water Resources under Application 60635 to
support the proposed and existing Place of Use.

This Application is being filed to support the David A. and Conny L. Merrill Parcel Map
in Douglas County, Nevada. (Douglas County LDA No. 04-007) Water rights from the
Town of Minden are being transferred to Douglas County and changed under this
Application to allow for future service to the new parcels.

Please send copies of all correspondence and notices to Carl Ruschmeyer, PE, Douglas
County Engineer, P.O. Box 218, Minden, NV, 89423.